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ARTURO M. CISNEROS

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION

11 In re
12 SHAMICKA LAWRENCE,
13 Debtor.

Case No. 6:23-bk-15163-WJ

Chapter 7

NOTICE OF CHAPTER 7 TRUSTEE'S
MOTION FOR ORDER COMPELLING
DEBTOR AND ANY OTHER OCCUPANTS
TO VACATE AND TURN OVER REAL
PROPERTY AND AUTHORIZING
ISSUANCE OF WRIT OF ASSISTANCE

Date: April 30, 2024
Time: 1:00 p.m.
Ctrm: 304
Location: 3420 Twelfth Street
Riverside, CA 92501

20 TO THE HONORABLE WAYNE JOHNSON, UNITED STATES BANKRUPTCY JUDGE, THE
21 OFFICE OF THE UNITED STATES TRUSTEE AND ALL INTERESTED PARTIES:

22 PLEASE TAKE NOTICE that on April 23, 2024, at 1:00 p.m., in Courtroom 304, in the
23 above-entitled court, before the Honorable Wayne Johnson, Arturo M. Cisneros, in his capacity as
24 Chapter 7 Trustee (“Trustee”) of the Bankruptcy Estate (“Estate”) of Shamicka Lawrence
25 (“Debtor”), will move the Court regarding a motion (“Motion”) seeking an order compelling
26 turnover of the residential real property commonly known as 11364 Estates Court, Riverside,
27 California 92503 APN: 136-050-035 (“Property”). The Trustee is not confident that Debtor will
28 timely vacate the Property, given Debtor’s substantial undervaluation of the Property in her

1 schedules, and claimed homestead exemption equal to approximately half of the scheduled value of
2 the Property. Trustee requires an enforceable order granting possession as to the Debtor in order to
3 give assurances to a future buyer that possession of the Property can be delivered to a buyer upon the
4 close of escrow.

5 The Motion is based upon this Notice, the Declaration of Arturo M. Cisneros, memorandum
6 of points and authorities, the pleadings and files in the Debtor's bankruptcy case, and upon such
7 further oral and documentary evidence as may be presented to the Court. If you do not oppose the
8 motion described above, then you need take no further action.

9 PLEASE TAKE FURTHER NOTICE that any opposition or other responsive pleadings must
10 be in the form as required by Rules 9013-1(f) and (o) of the Local Bankruptcy Rules and filed with
11 the Clerk of the above-entitled Court no later than fourteen days (14) prior to the hearing on the
12 Motion. You must also serve a copy of your objection upon D. Edward Hays and Tinho Mang no
13 later than fourteen (14) days prior to the date of the hearing on the Motion at the mailing address
14 indicated in the upper left corner of the first page of this motion, and upon the Office of the United
15 States Trustee at 3801 University Ave., Suite 720, Riverside, CA 92501. Any failure to timely file
16 and serve an opposition may result in a waiver of any such opposition and the Court may enter an
17 order granting the motion without further notice.

18

19 DATED: April 9, 2024

MARSHACK HAYS WOOD LLP

20

21 By: /s/ Tinho Mang

22 D. EDWARD HAYS

23 TINHO MANG

24 Attorneys for Arturo M. Cisneros,
25 Chapter 7 Trustee for the Bankruptcy Estate of
26 Shamicka Lawrence

27

28

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **NOTICE OF CHAPTER 7 TRUSTEE'S MOTION FOR ORDER COMPELLING DEBTOR AND ANY OTHER OCCUPANTS TO VACATE AND TURN OVER REAL PROPERTY AND AUTHORIZING ISSUANCE OF WRIT OF ASSISTANCE** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On April 9, 2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On April 9, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on April 9, 2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA OVERNIGHT MAIL

HONORABLE WAYNE JOHNSON
UNITED STATES BANKRUPTCY COURT
3420 Twelfth Street, Suite 384 / Courtroom 304
Riverside, CA 92501-3819

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

April 9, 2024
Date

Chanel Mendoza
Printed Name

/s/ Chanel Mendoza
Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

- **TRUSTEE: Arturo Cisneros (TR)** amctrustee@mclaw.org, acisneros@iq7technology.com;ecf.alert+Cisneros@titlexi.com
- **INTERESTED PARTY COURTESY NEF: Alan W Forsley** alan.forsley@flpllp.com, awf@fkllawfirm.com,awf@fl-lawyers.net,addy@flpllp.com
- **INTERESTED PARTY COURTESY NEF: Thomas M Geher** tmg@jmbm.com, bt@jmbm.com;tmg@ecf.courtdrive.com
- **ATTORNEY FOR INTERESTED PARTY MASSAGE ENFY FRANCHISING: Eric D Goldberg** eric.goldberg@dlapiper.com, eric-goldberg-1103@ecf.pacerpro.com
- **ATTORNEY FOR TRUSTEE: D Edward Hays** ehays@marshackhays.com, ehays@ecf.courtdrive.com;alinares@ecf.courtdrive.com;cmendoza@marshackhays.com;cmendoza@ecf.courtdrive.com
- **ATTORNEY FOR DEBTOR: Marc A Lieberman** marc.lieberman@flpllp.com, saf.a.saleem@flpllp.com,addy@flpllp.com
- **ATTORNEY FOR TRUSTEE: Tinho Mang** tmang@marshackhays.com, tmang@ecf.courtdrive.com;alinares@ecf.courtdrive.com;cmendoza@ecf.courtdrive.com
- **U.S. TRUSTEE: United States Trustee (RS)** ustpregion16.rs.ecf@usdoj.gov

2. SERVED BY UNITED STATES MAIL: continued:

<u>DEBTOR</u>	<u>INTERESTED PARTY</u>	<u>SECURED CREDITOR</u>
SHAMICKA LAWRENCE 11364 ESTATES COURT RIVERSIDE, CA 92503-0639	ALL OCCUPANTS AND/OR TENANTS OCCUPYING THE REAL PROPERTY AT: 11364 ESTATES COURT RIVERSIDE, CA 92503-0639	MERCEDES - BENZ FINANCIAL SERVICES ATTN: BANKRUPTCY PO BOX 685 ROANOKE, TX 76262-0685
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 261
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4855-3266-7059